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Incoming
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From: Joe Helfrich
To: OGMCOAL
CC: Dana Dean; Daron Haddock; Jim Smith; Priscilla Burton
Date: 6/2/2008 9:34 AM
Subject: Fwd: Notes from Alton Conference Call 5/28
Place: OGMCOAL
Attachments: AltonCoalEIS_5 28 2008_BiweeklyConfCallNotes.doc

Please file in C/025/0005 incoming

>>> "Ben Gaddis" <bgaddis@swca.com> 5/30/2008 11:37 AM >>>
Thanks to everyone for participating in Wednesday's standing Alton Coal EIS bi-weekly conference call. Due to the nature of the topics discussed at Wednesday's meeting I thought it would be a good idea to send meeting notes to the group to get confirmation that I have understood things correctly. I have attached meeting notes for everyone's review. Please review these and reply with changes/clarifications. If your understanding of the meeting is the same as mine based on the notes please confirm this as well. I have started collecting and reviewing materials (such as the Southern Utah Petition Evaluation Document from the BLM SO) but a timely response would be much appreciated so that things can continue to move forward as quickly as possible. Thank you very much for your time and attention to these important items.

Ben

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Alton Coal EIS Conference Call Meeting Notes May 28, 2008

Meeting attendees:

BLM Utah State Office:	Jeff McKenzie, Greg Thayn, Jim Kohler, Stan Perkes
BLM KFO:	Keith Rigtrup, Doug Powell
DOGM:	Joe Hielfrich, Priscilla Burton
ACD:	Chris McCourt
SWCA:	Ben Gaddis, Steve Knox

Meeting Notes:

1. Ben reviewed conference call attendees
2. Ben provided updates on progress made on various tasks necessary for completion of the EIS:
 - a. Many chapter 3 sections complete and in the content review process
 - b. Some chapter 4 sections complete, some chapter 4 sections underway
 - c. Field work on T&E plants underway
 - d. Soon to conduct field work on wetlands (determination) and riparian areas and floodplains
3. Priscilla provided updates on upcoming events related to the Coal Hollow PAP
 - a. The public comment period on the PAP ended May 16th but some comments were received up to May 22nd due to a notice DOGM provided to some government agencies and other parties such as SUWA. Alton Coal Development, LLC has expressed opposition to considering comments received after May 16th.
 - b. DOGM will hold an Informal Conference on June 16th from 6:00 – 8:00 pm at the Alton Town Hall. The meeting will be officiated by DOGM where DOGM will explain their authorities (for example, no authority over transportation of coal) and allow time for public comment. Attendees to the meeting will be allowed 2 minutes to provide oral comments. DOGM technical staff, who will be conversant in the PAP, will be available for Q/A after the formal oral comment time is over. At the moment DOGM plans to combine public comment on the PAP with an opportunity for public comment on the relocation of State Road 136 (Kane County is obligated to have such a meeting and DOGM rules allow for the combining of meetings of this sort). As per DOGM rules a court reporter will be at the meeting or the meeting will be recorded. Hugh Wolfe and/or Keith Rigtrup from the BLM KFO will attend the meeting to observe comments [Priscilla said she would send them an invitation to the meeting and provide this invitation to Ben as an FYI. Ben and possibly one other staff member from SWCA may also attend the meeting]. The meeting is not intended for comments on any BLM actions so Hugh and Keith will not take or record public comments. Relocation of State Road 136 requires a BLM Environmental Assessment because the relocation would occur on BLM land. A public scoping period will be initiated for the EA (as requested on May 5th, 2008) but no public meetings are planned at this time. Alton Coal Development, LLC has requested that meetings on the PAP and on the road relocation not be combined so as to avoid confusion on the part of the public related to parties responsible for certain decisions with respect to the pending PAP, the road relocation, and the on-going leasing EIS.
 - c. At the conclusion of this portion of the call it was determined that there are still some items to discuss and questions to get answered prior to the meeting.
4. The group discussed the level of detail needed in the NEPA analysis from which to base the BLM's decision on leasing and to support DOGM's permitting process following a decision to lease. What level of information is needed to support an adequate NEPA analysis, but won't tie the lessee's hands when developing a mine plan or require further NEPA analysis prior to DOGM's permitting process?
 - a. Keith, Chris, and Ben provided an overview of the question at hand: There is certain information or analysis assumptions, in terms of types/sizes/etc. of equipment and other components of the potential mining operation, that are needed to conduct air quality impact analyses and other analyses such as night sky and transportation. Chris's input on this information is important so that we can be sure that we have reasonable assumptions that support the analysis. If we are uncertain, the assumptions should be conservative, so as not to affect the analysis or limit the operator during mine plan development. We have this as an item on the agenda because there is a level of concern that this level of detail is too much and that variations from the estimations/assumptions/etc. could result

in the need for additional NEPA at a later stage in this process should the EIS result in a decision to lease and the lease is issued.

- b. The group discussed the fact that estimations/assumptions/etc. should be conservative and that, if a leasing decision is made, at the time of permitting and approval of an actual mine plan the BLM would need to revisit estimations/assumptions/etc. to be sure the analysis supports the permit and mine plan being reviewed for approval. If the analysis does not support the permit and mine plan being reviewed then supplemental NEPA would be required. This would be a judgment call on the part of BLM at this time.
- c. In terms of estimations/assumptions/etc. necessary to conduct **air quality** dispersion modeling the group agreed that Chris could provide SWCA and Lori Marquez et al with these items (types, number, and sizes of equipment, etc.) at a conference call but that the BLM would review these items prior to conducting actual modeling. BLM personnel noted that they could review and return this within a few days (2-3) of receipt. [Air quality constituents to be modeled were discussed in a separate conference call with Scott Archer, Keith Rigrup, Ben Gaddis, Chris McCourt, Lori Marquez, and Bob Zimmer. At the conclusion of this call the group agreed that an air quality analysis protocol, requested by Scott, would serve as meeting notes. This protocol is still being written up pending decisions as a result of this meeting and arrival of information/materials from Scott Archer and/or Susan Caplan].
- d. In terms of estimations/assumptions/etc. necessary to conduct **transportation** analyses Chris McCourt already provided a conceptual shift schedule to serve as the basis for the assumption(s) to use for this analysis. Other assumptions necessary to complete transportation analyses are already accounted for.
- e. In terms of estimations/assumptions/etc. necessary to conduct **nighttime sky** analyses Chris McCourt already provided ranges of possible light configurations that are conservative. He said that he would need to amend this to be a bit more conservative but that the information we have would mostly work as a conservative assumption for possible lighting.
- f. **SPECIAL NOTE I:** Throughout this conversation it was noted that the verbiage for all of these analyses would clearly state that information used for analyses was based on conservative assumptions about how the mining operation would likely work and that the information should not be taken literally as an actual detailed mine plan. The details of an actual detailed mine plan may vary from the information used for analysis. It would make clear that analyses were conducted using the best available information.
- g. **SPECIAL NOTE II:** As the conversation unfolded the group discussed the fact that other analyses have been conducted for the same area in previous environmental documents (Southern Utah Petition Evaluation EIS [1980], UII Leasing EIS [1970s], UII Permit Application Package [1987]), and that perhaps it would be possible to use these analyses in this EIS. The group felt that the previous mine proposal was for a much larger area than the current proposal and that using the outputs from these analyses would be by their nature conservative (perhaps even worst case) given the much larger scale of the proposal compared to Alton Coal Development's plans for the area. The group thought that it would be possible to use outputs from Air Quality modeling done for the "Southern Utah Petition Evaluation Document" (1980) and apply them to this analysis. The group also thought that it would be possible to use outputs from night sky modeling done in relation to the UII PAP (commissioned by Bryce Canyon National Park; modeling done and report provided in 1989) and apply them to this case as well. If these studies showed no adverse effect on these resource then, the group thought, it is reasonable to assume that that would also be true of a smaller operation. If these studies contained gaps we would need to fill them in for this EIS.

5. Action Items and Next Steps

- a. By the conclusion of the call the following action items were determined:
 - i. Priscilla will (in consultation with others as necessary) work out questions and details related to the informal conference scheduled for June 16th. As part of this she will forward an invitation to the meeting to Keith and Hugh at BLM KFO and to Ben at SWCA.
 - ii. Keith and Hugh will attend the meeting on June 16th.
 - iii. Ben may attend the meeting on June 16th (possibly with one other staff member from SWCA) pending discussion with Chris McCourt.
 - iv. Toward analyses for air quality and night skies Ben will:

1. Air: Borrow "Southern Utah Petition Evaluation Document" (3 volumes) from the BLM Utah State Office and review this for information related to air quality modeling done for this study. He will also gather any technical reports produced for this analysis (not contained within the document) as necessary. The results of the modeling effort done for this study will be applied to the current Alton Coal EIS analysis. Changes in regulation from the late 1970s-1980 and missing results will be accounted for and obtained to complete the rest of the air quality analysis. [Note: this will still require an emissions inventory requiring estimations/assumptions/etc. with the assistance of Chris McCourt and review by BLM as described under 4.c. above]. Ben will also contact the EPA (contact from scoping letter) about their thinking on using results from this study in the current Alton Coal EIS.
2. Night skies: Obtain a complete copy of "Impacts of the Proposed Alton Coal Project on the Night Sky Near Bryce Canyon National Park" (1989) from the National Park Service. The results of this study will be applied to the current Alton Coal EIS analysis. Changes since 1989 and missing results (if any) will be accounted for and obtained to complete the rest of the night sky analysis as necessary.
3. If the aforementioned are incorporated by reference Ben will be sure to explain (per CEQ guidelines) where these are available for public review.